



PATENT APPLICATION
Serial No. 10/560,222
Attorney Docket No.: VFM-40030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Confirmation No. 2695
Wilhelm Mayer)	
)	
Serial No.: 10/560,222)	
)	
Filed: December 12, 2005)	
)	
For: ANTI-CLIMBING DEVICE FOR)	
RAILWAY CARRIAGES)	

PETITION TO WITHDRAW, CANCEL OR RESCIND THE NOTIFICATION OF MISSING REQUIREMENTS MAILED ON JANUARY 18, 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

A Notification of Missing Requirements was issued in this application on January 18, 2007, on the grounds that there was un-translated language in the drawings.

Applicant has investigated the drawings and finds that there was extraneous material consisting of several words on the first sheet of drawings. Since this extraneous material is not germane or required for this application, applicant is deleting this material from the first sheet of drawings.

Accordingly, applicant is filing a Preliminary Amendment (copy attached) deleting the extraneous material from the first sheet of drawings and submitting a new, clean first sheet of drawings.

CERTIFICATE OF MAILING

I, Thomas R. Vigil, hereby certify that this petition, and preliminary amendment, 9 total pages, was mailed to the Office on February 12, 2007, postage prepaid, USPS.


Thomas R. Vigil Reg. No. 24542

With the extraneous material removed from the drawings, there is no untranslated text in the drawings and therefore the Notification of Missing Requirements is now moot and no translation is required, no surcharge is required and no fee for English translation is required.

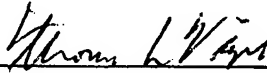
Accordingly, based on the above and the Preliminary Amendment submitted herewith, the Notification of Missing Requirements should be cancelled, withdrawn or rescinded, the Preliminary Amendment to the drawings should be entered and the application be forwarded to the appropriate group for examination.

Respectfully submitted,

PYLE & PIONTEK

February 12, 2007

By



Thomas R. Vigil, Reg. No. 24,542

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PCT



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FEB 15 2007

U.S. APPLICATION NUMBER NO.

10/560,222

FIRST NAMED APPLICANT

Wilhelm Mayer

ATTY. DOCKET NO.

VFM-40030

INTERNATIONAL APPLICATION NO.

PCT/AT04/00122

I.A. FILING DATE

04/07/2004

PRIORITY DATE

06/13/2003

Pyle & Piontek
221 N Lasalle - Room 2036
Chicago, IL 60601

J. 2 2007

CONFIRMATION NO. 2695

371 FORMALITIES LETTER



OC00000022041541

Date Mailed: 01/18/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/12/2005
- English Translation of the IA filed on 12/12/2005
- Copy of the International Search Report filed on 12/12/2005
- Preliminary Amendments filed on 12/12/2005
- Information Disclosure Statements filed on 12/12/2005
- U.S. Basic National Fees filed on 12/12/2005
- Priority Documents filed on 12/12/2005
- Non-English Language Application filed on 12/12/2005
- Specification filed on 12/12/2005
- Claims filed on 12/12/2005
- Abstracts filed on 12/12/2005
- Drawings filed on 12/12/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
 - The text in the drawings has not been properly translated.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/560,222	PCT/AT04/00122	VFM-40030